

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS

September 1, 1981

An adjourned regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Tuesday, September 1, 1981 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - Hughes (arrived 8:03 p.m.),
Katnich, Murphy, Pinkerton,
and McCarty (Mayor)

Absent: Councilmen - None

Also

Present: City Manager Graves, Assistant City Manager Glenn,
Public Works Director Ronsko, Community
Development Director Schroeder, City Attorney
Stein, and City Clerk Reimche

INVOCATION

The invocation was given by Pastor Robert Lewis, First Baptist Church

PLEDGE

The Pledge of Allegiance was led by Mayor McCarty.

PRESENTATIONS

Mrs. Charlotte Humphrey, Director, San Joaquin County Department of Aging, was scheduled to address the Council regarding recent developments in the field of aging and the new composition of the County Commission on Aging required by the Older American's Act. Mrs. Humphrey was not in the audience and the matter was carried over to the regular meeting of September 16, 1981.

PLANNING COMMISSION

City Manager Graves gave the following report of the August 24, 1981 Planning Commission meeting:

ITEMS OF INTEREST

The Planning Commission -

1. After taking public testimony at the public hearing, the First Southern Baptist Church, 2301 W. Lodi Avenue, was granted a use permit for a temporary mobilehome for classroom purposes adjoining the church, subject to the following conditions: a) approved for one year; b) needs SPARC approval; c) not to be used for residential purposes. Neighborhood opposition focused on aesthetic concerns.
2. Set September 14, 1981 as the date for public hearing on Use Permit request of Michael and Leslie Minson, U-81-31, for an arcade center in Lakewood Mall in a C-S zone.
3. Set September 14, 1981 as the date for public hearing on proposed amendments to the City Zoning Ordinance pertaining to fences.
4. Made the finding that the Capital Improvement Program 1981 - 85, as presented by Mr. Ronsko, Public Works Director, is consistent with the Lodi City General Plan as of meeting date.

COMMUNICATIONS

COMPLAINT RE
CHEROKEE LANE
OLEANDERS

City Clerk apprised the Council that a letter had been received from Bob Zamora, owner of Lodi Honda, 1700 S. Cherokee Lane, requesting that the Oleander medium on Cherokee Lane from Almond Drive to Poplar Street be trimmed down to a height of three feet.

The Clerk apprised Council that she had received a request that this matter be held over to the meeting of September 16, 1981.

Continued September 1, 1981

Council tacitly concurred to continue the matter to the regular Council meeting of September 16, 1981.

CITY RECEIVES
CHECK FROM OLD LODI
UNION HIGH SCHOOL SITE FOUNDATION

City Clerk Reimche presented a check which had been received from the old Lodi High School Foundation in the amount of \$2,450.00.

CITY OF RIO VISTA NO
LONGER ABLE TO
PARTICIPATE IN FUNDING
OF GREYHOUND SERVICE
THROUGH RIO VISTA
INTO CITY OF LODI

City Clerk Reimche presented a letter from the City of Rio Vista advising that the City of Rio Vista will no longer be able to participate in the funding of the Greyhound service through Rio Vista into the City of Lodi. This decision was made by the Rio Vista City Council after their inability to secure subsidy from surrounding communities to maintain the service.

COMMENTS BY CITY
COUNCILMEN

No comments were submitted by members of the Council under Agenda item "Comments by City Councilmen".

REPORTS OF THE CITY
MANAGER

In accordance with report and recommendation of the City Manager, the following actions, hereby set forth between asterisks, on motion of Councilman Pinkerton, Murphy second, were approved by the Council.

CONSENT CALENDAR

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$759,024.69.

AWARD - CLASS II
SLURRY SEAL TO CITY
STREETS

City Manager Graves presented the following bids which had been received to apply Class II Slurry Seal to City Streets:

RES. NO. 81-118

California Pavement Maintenance Co., Sacramento, CA

Total S/F 492,890 - \$18,877.20

Following recommendation of the City Manager, Council adopted the following resolution:

RESOLUTION NO. 81-118

RESOLUTION AWARDED THE BID TO APPLY CLASS II SLURRY SEAL TO CITY STREETS TO CALIFORNIA PAVEMENT MAINTENANCE COMPANY IN THE AMOUNT OF \$18,877.20.

ITEM REMOVED FROM
AGENDA

With the tacit concurrence of the City Council, agenda item "c", - "Award - Street Division Dump Truck" was removed from the agenda.

RAILROAD CROSSING
AGREEMENT CLUFF
AVENUE STORM DRAIN

Council was informed that as part of the Turner Road and Cluff Avenue Assessment District No. 1 Improvements, the City will be installing a 60" storm drain in Cluff Avenue from Lockeford Street to Victor Road. A standard crossing agreement with the S.P.R.R. is required in order for the City's contractor to install the line. It also includes City Maintenance conditions.

RES. NO. 81-119

RESOLUTION NO. 81-119

COUNCIL APPROVED THE CROSSING AGREEMENT FOR THE 60" CLUFF AVENUE STORM DRAIN WITH THE SOUTHERN PACIFIC TRANSPORTATION COMPANY AND AUTHORIZED THE MAYOR AND CITY CLERK TO EXECUTE SAME FOR THE CITY

EASEMENT FOR SANITARY
SEWER, NORTH CLUFF
AVENUE

Council was apprised that under the Assessment District now being formed on Cluff Avenue, sanitary sewers are being constructed along Cluff Avenue. A branch line to serve the area east is the responsibility of the City and it is in the best interests to install this line now prior to development of the property immediately adjacent to this line. Mr. Tonn's offer has been evaluated and is considered more than fair to the City.

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COUNCIL APPROVED THE AGREEMENT BETWEEN L. D. TONN AND THE CITY OF LODI FOR A PUBLIC UTILITY EASEMENT ON NORTH CLUFF AVENUE AND AUTHORIZED THE CITY MANAGER AND CITY CLERK TO EXECUTE SAME ON BEHALF OF THE CITY.

NO PARKING ZONES
ESTABLISHED ON EAST
SIDE OF CHEROKEE
LANE IN VICINITY OF
K-MART

RES. NO. 81-120

01-23 1980

Council was apprised that with the opening of K-Mart, it can be expected that drivers of vehicles exiting the two driveways will experience sight distance problems because of autos and trucks on Cherokee Lane being parked too near the driveways. In an effort to prevent accidents, the Engineering Department recommends two "No Parking" zones as depicted on diagrams presented to the Council. On Staff's recommendation, Council adopted the following resolution:

RESOLUTION NO. 81-120

RESOLUTION ESTABLISHING TWO "NO PARKING" ZONES - EAST SIDE OF CHEROKEE LANE IN THE VICINITY OF K-MART.

HAM LANE AND
BURGUNDY DRIVE
INTERSECTION

RES. NO. 81-121

01-23 1980

Council was informed that in June, 1980, as a temporary measure to control traffic on Ham Lane until the west one-half of the street was constructed to Century Boulevard, it became necessary to establish Ham and Burgundy as a 3-way stop. The construction of Ham Lane will soon be completed as planned, and upon completion, the stop signs on Ham Lane can be removed and the intersection will function in a normal fashion. On recommendation of Staff, Council adopted the following resolution:

RESOLUTION NO. 81-121

RESOLUTION RESCINDING RESOLUTION NO. 80-80 ESTABLISHING HAM LANE AND BURGUNDY DRIVE AS A 3-WAY STOP INTERSECTION AND RETAINING THE STOP SIGN ON BURGUNDY DRIVE AT HAM LANE.

SPECIAL INITIATIVE
ELECTION
AUGUST 25, 1981
RESULTS

RES. NO. 81-122

01-23 1980

City Clerk Reimche certified that she had canvassed the returns of the Special Initiative Election held August 25, 1981 and reported the results thereof. On motion of Mayor Pro Tempore Murphy, Katnich second, the City Council adopted the following resolution. The motion carried by unanimous vote.

RESOLUTION NO. 81-122

DECLARING RESULTS OF ELECTION

WHEREAS, a Special Initiative Election was held and conducted in the City of Lodi on Tuesday, the 25th day of August, 1981, as required by law; and

WHEREAS, it appears from the report of the City Clerk and the records on file in her office that voting precincts were properly established and the polling places thereof designated; that election officers were appointed and qualified; that election supplies, including official ballots, were furnished each of said precincts; and that in all respects, said election was held and conducted and the votes received thereat were received and canvassed and the returns thereof made, determined and declared in time, form and manner as required by the laws of the State providing for and regulating elections in general law cities; and

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WHEREAS, in accordance with Resolution No. 81-71, the City Clerk conducted the canvass of the returns of said election; and

WHEREAS, the City Council of the City of Lodi, meeting at the Lodi City Council Chambers this 1st day of September, 1981 to declare the results of election, finds, determines and declares as a result of said count and canvass as certified by the City Clerk:

(1) that said Special Initiative Election was held and conducted in the City of Lodi, California, on the 25th day of August, 1981

(2) that there were nine voting precincts established in said City for the purpose of holding said election, viz:

VOTING PRECINCT 1 - Comprising State and County
Precinct Numbers L2401, L2402,
L2414

VOTING PRECINCT 2 - Comprising State and County
Precinct Numbers L2403, L2404,
L2408

VOTING PRECINCT 3 - Comprising State and County
Precinct Numbers L2405, L2406,
L2426, L2490

VOTING PRECINCT 4 - Comprising State and County
Precinct Numbers L2407, L2409,
L2424

VOTING PRECINCT 5 - Comprising State and County
Precinct Numbers L2422, L2423

VOTING PRECINCT 6 - Comprising State and County
Precinct Numbers L2410, L2411,
L2412

VOTING PRECINCT 7 - Comprising State and County
Precinct Numbers L2413, L2415,
L2418

VOTING PRECINCT 8 - Comprising State and County
Precinct Numbers L2416, L2417,
L2425

VOTING PRECINCT 9 - Comprising State and County
Precinct Numbers L2419, L2420,
L2421

(3) that the whole number of votes cast at said election was Seven Thousand Three Hundred Forty (7,340)

(4) that the total number of votes cast for and against the measure

"THE PEOPLE OF THE CITY OF LODI DO ORDAIN AS FOLLOWS:

Shall the Ordinance

1. It shall be the policy of the City of Lodi to protect land in the Green Belt area in order to preserve and protect agricultural land, preserve the scenic value of the area, protect wildlife habitat and natural resources and to protect the small city character of Lodi.

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2. The Green Belt area shall be designated as the area between the outer limits of the incorporated city and the outer limits of the adopted sphere of influence at the adoption of this ordinance.

3. To affect the policy of the City of Lodi to protect land in the Green Belt area, non-agricultural development in the City of Lodi which lies adjacent to the Green Belt area shall be permitted only after a finding by the City Council that such non-agricultural development will not interfere with the continued productive use of agricultural land in the Green Belt area or that an adequate buffer or mitigation zone exists to assure continued productive use of agricultural land in the Green Belt area.

4. At the time of adoption of this ordinance, the Green Belt area shall be removed from the existing Land Use Element of the General Plan of the City of Lodi.

5. Before land in the Green Belt area can be annexed by the City of Lodi, an amendment to the City's Land Use Element of the General Plan must be made and approved by a majority of the people voting in a city-wide election.

6. Before any annexation proposal can be approved, the City Council must make the finding that the proposed annexation is contiguous to existing city boundaries and the projected demand from the proposed development in the area to be annexed will not exceed the service capacity of existing municipal utilities and services, the school district, and existing roadways.

7. Water, sewer, and electrical facilities shall not be expanded or extended until the City Council makes the finding that a proposed expansion or extension is consistent with the goals, policies and land use designations of the General Plan and this ordinance.

8. The City of Lodi may hold elections in consolidation with other scheduled elections in the City for the purpose of allowing voters to voice their opinions on amendments to the City's Land Use Element of the General Plan.

9. If any portion of this ordinance is hereafter determined to be invalid, all remaining portions of this ordinance shall remain in force and effect and to this extent the provisions of this ordinance are severable.

be adopted?"

was as shown on Exhibit "A" attached hereto (as set forth below) and thereby made a part hereof.

RESOLVED, that the results of the Special Initiative Election held in the City of Lodi on August 25, 1981 show that a majority of the voters have voted in favor of the measure and pursuant to State of California Elections Code Section 4013, the Ordinance heretofore set forth shall be considered as adopted upon the date that the vote is declared by the legislative body, and shall go into effect 10 days after that date.

Upon the adoption of this Resolution, the City Clerk shall enter a full copy thereof on the records of the City Council of the City of Lodi for its meeting held the 1st day of September, 1981.

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Exhibit "A"

CITY OF LODI

RESULTS - SPECIAL INITIATIVE ELECTION

August 25, 1981

Precinct	Yes	No	Ballots Voted	Registered Voters	Percent
1	421	207	628	1839	34%
2	560	300	860	2453	35%
3	361	273	634	1757	36%
4	484	266	750	1800	42%
5	447	331	778	1569	50%
6	506	291	797	1851	43%
7	547	357	904	2057	44%
8	382	362	744	1530	49%
9	570	341	911	2015	45%
Absent					
Ballots	215	119	334		.019%
Totals	4493	2847	7340	16,871	

AWARD - GAS AND
OIL LEASE WHITE
SLOUGH PROPERTY

RES. NO. 81-123

CC-100-100

City Clerk Reimche apprised the Council that pursuant to the City of Lodi Resolution No. 81-80 entitled, "A Resolution of the City Council of the City of Lodi, California, Declaring its Intention to Call for Bids for a Certain Oil and Gas Lease and Making Findings in Connection Therewith", the following bids were received by the City Clerk and opened at the August 19, 1981 Council Meeting:

BIDDERBID

City of Santa Clara

\$10,005.00 - cash
bonus including first
year's rent

Texas Oil and Gas Corp.

\$15,000.00 - cash
bonus including first
year's rent

Following recommendation of the City Manager, Council, on motion of Councilman Murphy, Pinkerton second, adopted Resolution No. 81-123 awarding the bid for Oil and Gas Lease (White Slough Water Pollution Control Plant Property) to Texas Oil and Gas Corporation, the high bidder, in the amount of \$15,000.00.

VOTING DELEGATE AND
ALTERNATE
DESIGNATED FOR ANNUAL
LEAGUE OF CALIFORNIA
CITIES CONFERENCE

Following introduction of the matter, Council, on motion of Councilman Hughes, Katnich second, designated Mayor McCarty as the voting delegate and Mayor Pro Tempore Murphy as the voting alternate for the annual League of California Cities Conference to be held in San Francisco in October.

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TAX RATE ESTABLISHED City Manager Graves reported that it will be necessary
FOR 1981-82 to set a tax rate for 1981-82 sufficient to return

RES. NO. 81-124
(C-215) On the basis of the property values as reported to the
City on August 11, 1981 of \$790,140,315., more or less,
an imposition of .0564 per \$100 of value will generate
\$446,650.

Following discussion, on motion of Mayor Pro Tempore
Murphy, Katnich second, Council adopted Resolution No.
81-124 fixing the tax rate for the City of Lodi for
Fiscal Year 1981-82 pursuant to the calculations heretofore
set forth.

RESOLUTION ADOPTED Following introduction of the matter by City Manager
APPROVING APPLICATION Graves, and a lengthy discussion, Council, on motion
FOR 1980 STATE GRANT of Councilman Katnich, Murphy second, adopted Reso-
MONEYS lution No. 81-125 approving the application for 1980
State Grant Moneys Project - Salas Park Development.

RES. NO. 81-125
11-764 11-210 11-300 The motion carried by unanimous vote.

CLOSED SESSION Council adjourned to closed session at 8:30 p.m. City
Clerk Reimche was excused from attending by Mayor McCarty.
The Council reconvened at 9:15 p.m.

RESOLUTION GRANTING On motion of Councilman Katnich, Hughes second, the
INCREASES ON SALARY following monthly salary ranges for certain unclassified
RANGES FOR CERTAIN personnel hereinafter set forth was established effective
UNCLASSIFIED the pay period beginning July 6, 1981:
PERSONNEL

RES. No. 81-126	Community Development Director	\$2760/3370 per month
CC-6	Finance Director	\$2730/3340 "
CC-34	Fire Chief	\$2855/3485 "
11-300	Police Chief	\$3005/3675 "
	Public Works Director	\$3165/3865 "
	Recreation Director	\$2540/3100 "
	Utility Director	\$3095/3785 "
	Administrative Assistant	\$1950/2380 "
	Assistant City Manager	\$2770/3390 "

The motion carried by the following vote:

Ayes: Councilmen - Hughes, Katnich, Murphy, and
Pinkerton

Noes: Councilmen - McCarty

Absent: Councilmen - None

ALICE M. REIMCHE
DESIGNATED TO SERVE
IN A FULL-TIME
CAPACITY AS CITY
CLERK

RES. NO. 81-127
CC-6 11-300 On motion of Councilman Pinkerton, Murphy second, Council
adopted Resolution No. 81-127 - that effective September
1, 1981, Alice M. Reimche was designated to serve in a
full-time capacity as the City Clerk of the City of Lodi
with her duties to be as set forth in the statutes of
the State of California amending her job title to be
that of City Clerk of the City of Lodi, and removing
her position from the Classified Service of the City of
Lodi. The motion carried by unanimous vote.

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SALARY INCREASES
GRANTED TO CITY
ATTORNEY AND
CITY CLERK

On motion of Councilman Katnich, Murphy second, Council adopted Resolution No. 81-128 granting the City Attorney a 9% salary increase effective the pay period beginning July 6, 1981. The motion carried by unanimous vote.

RES. NO. 81-128

On motion of Councilman Pinkerton, Murphy second, Council adopted Resolution No. 81-129 granting the City Clerk a 10% salary increase effective the pay period beginning July 6, 1981. The motion carried by unanimous vote.

RES. NO. 81-129

Council tacitly concurred that the employees covered by the heretofore listed increases will have the option of using a portion of the increase (7%) toward P.E.R.S. contributions.

ACTION DEFERRED ON
CITY MANAGER'S
SALARY

On motion of Mayor Pro Tempore Murphy, Hughes second, Council deferred action on the City Manager's salary. The motion carried by unanimous vote.

ORDINANCES

Ordinance No. 1234 entitled, "An Ordinance Approving General Plan Land Use Element Amendment No. GPA-LU-81-2", which consists of:

ORDINANCE APPROVING
GENERAL PLAN LAND USE
ELEMENT AMENDMENT
NO. GPA-LU-81-2

Section 1. - The request of Millard Fore, Jr., and Thomas Hom to redesignate a strip of land 198 feet north of the future centerline of West Tokay Street and 949 feet west of Lower Sacramento Road from Low Density Residential to Office-Institution; and

ORD. NO. 1234
ADOPTED

Section 2. - The request of James L. Gerard, et al to redesignate the 5.59 acre parcel at 1110 West Kettleman Lane in the Vineyard Business Center from Office-Institutional to Commercial - having been introduced at a regular meeting held August 19, 1981 was brought up for passage on motion of Councilman Pinkerton, Murphy second. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted, and ordered to print by the following vote:

Ayes: Councilmen - Hughes, Katnich, Murphy, Pinkerton, and McCarty

Noes: Councilmen - None

Absent: Councilmen - None

ORDINANCE REZONING
STRIP OF LAND IN
AREA OF W. TOKAY
AND LOWER SACRAMENTO
ROAD

Ordinance No. 1235 entitled, "An Ordinance Rezoning a Strip of Land 198 Feet North of the Future Centerline of West Tokay Street and 949 Feet West of Lower Sacramento Road From R-1, Single-Family Residential, to R-C-P, Residential-Commercial-Professional", having been introduced at a regular meeting held August 19, 1981 was brought up for passage on motion of Mayor Pro Tempore Murphy, Katnich second. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted, and ordered to print by the following vote:

ORDINANCE NO.
1235 ADOPTED

Ayes: Councilmen - Hughes, Katnich, Murphy, Pinkerton, and McCarty

Noes: Councilmen - None

Absent: Councilmen - None

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ORDINANCE
AMENDING P-D (15)
TO PERMIT C-S
USES ON 5.59 ACRE
PARCEL AT 1110
W. KETTLEMAN
LANE

ORD. NO. 1236
ADOPTED

CC-5330
10-1-81

ADJOURNMENT

Ordinance No. 1236 entitled, "An Ordinance Amending P-D (15), Planned Development District No. 15, to Permit C-S, Commercial Shopping Uses on the 5.59 Acre Parcel at 1110 West Kettleman Lane", having been introduced at a regular meeting held August 19, 1981 was brought up for passage on motion of Mayor Pro Tempore Murphy, Pinkerton second. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted, and ordered to print by the following vote:

Ayes: Councilmen - Hughes, Katnich, Murphy, Pinkerton,
and McCarty

Noes: Councilmen - None

Absent: Councilmen - None

There being no further business to come before the Council, Mayor McCarty adjourned the meeting at approximately 10:20 p.m.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk